

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 78759

Patricia A. Pugh

8025 Ridley Oak Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on July 21, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-31, 312, failure to remove junk, trash and debris on residential property zoned DR 5.5 known as 8025 Ridgely Oak Road, 21234.

On June 21, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Jeffrey Radcliffe issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,200.00 (one thousand two hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on June 2, 2010 for removal of trash and debris from this residential property, remove dresser, and cut and remove tall grass and weeds. This Citation was issued on June 21, 2010. Court records show the property is the subject of foreclosure proceedings, but do not indicate a change of ownership or possession.

B. Photographs in the file show a discarded wooden four-drawer dresser outside on the parking area next to Respondent's house. Photographs also show bagged and boxed trash or household items piled outside next to the dresser and next to the building. Re-inspection on July 20, 2010 found no improvement. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310.

C. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if the violations are corrected within the time provided below. If the violations are not corrected, the County will be authorized to remove all junk, trash and debris, at the property owner's expense.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$400.00 (four hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violations are corrected by August 16, 2010, with all junk, trash and debris removed from the exterior premises.

IT IS FURTHER ORDERED that after August 16, 2010, the County may enter the property for the purpose of removing all junk, trash and debris, at the property owner's expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 26th day of July 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

MZF/jaf